

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In Re Flint Water Cases

No. 5:16-cv-10444-JEL-EAS

HON. JUDITH E. LEVY

MAG. ELIZABETH A. STAFFORD

**DECLARATION OF ERIC SCHACHTER IN SUPPORT OF
CLASS PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF
SETTLEMENT**

I, Eric Schachter, hereby declare as follows:

1. I am a Senior Vice President with A.B. Data, Ltd.'s Class Action Administration Company headquartered in Milwaukee, Wisconsin ("A.B. Data"). My business address is 600 A.B. Data Drive, Milwaukee, Wisconsin 53217. This Declaration ("Declaration") is based upon my personal knowledge and upon information provided by Class Counsel, my associates, and A.B. Data staff members.

2. A.B. Data was previously retained by Class Counsel to provide notice, pursuant to the Court's Second Amended Opinion and Order Granting in Part and Denying in Part Class Plaintiffs' Motion to Certify Class, ECF No. 1957, (the "Class Certification Order") in the above-captioned action (the "Action"). A.B. Data was also retained by the parties (and approved by the Court) to provide notice to Class Members of a new proposed settlement with Lockwood, Andrews & Newnam, P.C.;

Lockwood, Andrews & Newnam, Inc.; and the Leo A. Daly Company (collectively “LAN”), a process which remains ongoing.

3. A.B. Data has now been retained by the parties, subject to Court approval, to provide notice to Class Members of a new proposed settlement with Veolia North America, LLC, Veolia North America, Inc., and Veolia Water North America Operating Services, LLC, (collectively “VNA”).

4. A.B. Data has been appointed as Notice, Claims, and/or Settlement Administrator in hundreds of class actions, administering some of the largest and most complex notice and settlement programs of all time, involving all aspects of media, direct, and third-party notice plans, data management, claims administration, and settlement fund distribution. A profile of A.B. Data’s background and capabilities was attached the declaration filed in support of Plaintiffs’ Motion for Preliminary Approval of the LAN Settlement. *See* ECF No. 2673-6, PageID.87044-59.

5. This Declaration describes the proposed Settlement Notice Plan designed to provide notice in compliance with Rule 23 of the Federal Rules of Civil Procedure. The Class defined is substantially similar to the definition used in the previous settlements.

6. Notice will include direct notice by First-Class Mail to Class members; publishing a summary Notice to appear in certain newspapers; causing digital banner

advertisements to appear across a number of digital networks and social media platforms; and processing requests for exclusion and other inquiries and correspondence from Class Members.

7. To effectuate direct notice, A.B. Data will mail a Long-Form Notice and Claims Package (“Notice Packet”), attached as **Attachment 1**, to each person and entity on the list of Class Members, except for those Class Members who are already in the claims administration process. Such Class Members will receive the Summary Notice attached as **Attachment 2**.

8. Prior to mailing, A.B. Data will process the names and mailing addresses through the National Change of Address database compiled and maintained by the United States Postal Service (“USPS”) to standardize and update the addresses pursuant to any moves registered with the USPS. For any Class Member with a registered change of address, A.B. Data will mail a Notice Packet to the updated mailing address provided by the USPS.

9. For any Notice Packet or Summary Notice returned to A.B. Data by the USPS as undeliverable as addressed (“UAA”) with a forwarding address provided, A.B. Data will promptly remail the Notice Packet or Summary Notice to the forwarding address. For any UAA Notice Packet or Summary Notice returned with no forwarding address provided, A.B. Data will search for an updated address using an information provider to which we subscribe. If an updated address is available,

A.B. Data will promptly re-mail the Notice Packet or Summary Notice to the updated address.

10. Further, to provide notice to Class Members who are not on the known list of Class Members, or who may have relocated or are otherwise unreachable by direct mail, A.B. Data will publish the Summary Notice, attached as **Attachment 2**, once in *The Flint Journal* and the *Flint Courier News*.

11. To supplement the direct notice and publication efforts, targeted digital banner and newsfeed ads will be placed via Google Display Networks and YouTube. Images appropriate for this Action and target audience will also be included in all digital ad formats, as this increases the visibility and click-through rate of the ads. The digital impressions will be highly targeted, specifically delivered to the social media feeds of potential Class Members using the known contact information, and to digital users that have expressed an interest in information relevant to the subject of this case. Impressions will also be geographically targeted to the affected area in the City of Flint, Michigan.

12. In addition, the Notice Packet and Summary Notice refer Class Members to officialflintwatersettlement.com, which will provide summary information about the Action, answers to frequently asked questions, and include relevant pleadings and Court orders available for download.

13. The Notice Packet includes specific instructions on how to request exclusion from the Class. A.B. Data will receive and process all exclusion requests and promptly notify the parties to the Action.

14. Based on my similar experience with other class action notice plans, it is my conclusion that the Notice Plan described herein, utilizing direct mail notice to Class Members, supplemented by digital and print media targeted to Class members, is the best notice practicable under the circumstances.

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on this 17th day of April 2024 at Milwaukee, Wisconsin.

/s/ Eric Schachter
Eric Schachter

ATTACHMENT 1

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN

NOTICE OF PENDENCY OF CLASS ACTION SETTLEMENT

A new proposed \$25 million class settlement (the “Settlement”) has been reached in the Flint Water Cases. The Settlement relates solely to claims against Veolia North America, LLC, Veolia North America, Inc., and Veolia Water North America Operating Services, LLC (collectively “VNA”), an engineering firm that Plaintiffs allege is liable for harm suffered as a result of the Flint Water Crisis.

You are a Class Member if for any period of time between February 10, 2015, and July 31, 2016, you:

- owned or were the lessee of residential real property that received water from the Flint Water Treatment Plant, or were legally liable for the payment of such water (Property Damage Subclass);
- owned or operated a business, including income earning real property and any other businesses, that received water from the Flint Water Treatment Plant and who are claiming or could claim a resulting business economic loss (Business Economic Loss Subclass); or
- ingested or came into contact with water received from the Flint Water Treatment Plant and are claiming or could claim a resulting personal injury (Adult Exposure Subclass); and
- were 18 years old as of January 31, 2024.

This Notice is being provided by Order of a U.S. District Court.

It is not solicitation from a lawyer. You are not being sued.

- A lawsuit pending in the United States District Court for the Eastern District of Michigan (the “Court”) claims that VNA committed professional negligence relating to the City of Flint’s (“City’s”) water, which injured Class Members. VNA denies that they committed professional negligence, and that any negligence caused any Class Member’s injury.
- The parties have agreed to a Settlement that requires VNA, in addition to other obligations set forth in the Settlement Agreement (available at www.officialflintwatersettlement.com), to pay or cause to be paid \$25 million into the Flint Water Crisis Qualified Settlement Fund (the “Settlement Fund”) to settle the pending class action.
- Class Members who previously submitted a Claim Form pursuant to the previous settlement reached in this matter will be automatically registered for this Settlement. Class Members who have not yet submitted a Claim Form must do so by mail by _____, 2024. If you do not submit the Claim Form, you will not be able to file a claim for payment.
- This Notice applies only to Class Members as defined above. If you think you are a Class Member, you should read the enclosed Notice carefully. If you are a Plaintiff with an ongoing lawsuit, you should speak to your lawyer. If you have questions about the Settlement Program or the Settlement, please visit www.officialflintwatersettlement.com, or call toll-free, 1-800-493-1754.

YOUR LEGAL RIGHTS AND OPTIONS IN THE SETTLEMENT:	
SUBMIT A CLAIM FORM IF YOU DID NOT ALREADY SUBMIT ONE IN THIS CASE FOR THE PREVIOUS SETTLEMENTS.	<p>This is the only way to be eligible to receive a payment from the Settlement Fund if you did not already submit a Claim Form in this case for the previous settlements in 2022 and 2024. The Claim Form must be postmarked on or before _____, 2024.</p> <p>If you already submitted a Claim Form in this case, you do not need to do anything. Your claim will automatically be considered as to the Settlement with VNA.</p> <p>If you did not already submit a Claim Form in this case, you will need to submit a Claim Form.</p>
EXCLUDE YOURSELF FROM THE CLASS.	<p>Get out of the lawsuit and receive no benefits from it. Keep rights. This option allows you to exclude yourself from the Class and retain the right to choose your own lawyer and file a lawsuit against VNA asserting the claims relating to the allegations in this case. If you choose to bring your own individual lawsuit, you will need to do so within the applicable statute of limitations period and the statute of limitations will begin to run immediately upon when you opt out of the Class.</p>
OBJECT TO THE SETTLEMENT BY SUBMITTING A WRITTEN OBJECTION.	<p>Write to the Court and explain why you object to the Settlement. Objections must be filed with the Court and received by the parties on or before _____, 2024. NOTE: If you exclude yourself from the class, you cannot object. You must be a member of the class in order to object.</p>
ATTEND THE FAIRNESS HEARING ON _____, 2024, AND FILE A NOTICE OF INTENTION TO APPEAR.	<p>Ask to speak in Court about the fairness of the Settlement. Requests to speak must be filed with the Court and served on the parties on or before _____, 2024. If you submit a written objection, you may (but you do not have to) attend the hearing.</p>
DO NOTHING NOW.	<p>If you already submitted a Claim Form in this case, you need not submit this form again. Further, if your previously submitted claim was found deficient, it will be re-evaluated under the new standard.</p> <p>NOTE: If you HAVE NOT previously submitted a Claim Form, and do nothing, you will receive no payment. Similarly, if you previously submitted a Registration Form but did not submit a Claim Form, you will receive no payment. You will, however, still be a Class Member, which means that you give up your right to ever be part of any other lawsuit against VNA about the legal claims being resolved by this Settlement, and you will be bound by any judgments or orders entered by the Court in the Action.</p>

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BASIC INFORMATION ABOUT THE LAWSUIT AND SETTLEMENT

1. What is the lawsuit about?

Class Plaintiffs in this lawsuit claim that while advising the City of Flint at different points in time regarding water treatment related to using the Flint River as a drinking water source, VNA breached the standard of care for a professional engineering firm, resulting in injuries to Class Members. VNA denies that they breached the standard of care and that any breach of the standard of care caused Class Members' injuries. At this point, no court has found that VNA breached the standard of care.

There are also settlements with the State of Michigan, City of Flint, and other Defendants. The settlement with VNA adds to the total funds available for class members.

2. Why is there a Settlement?

Certain lawyers representing Plaintiffs were appointed by United States District Judge Levy to leadership positions and given the authority by the Court to conduct settlement negotiations. Those lawyers engaged in settlement negotiations with VNA under the direction of Mediators to help the parties resolve the litigation.

After careful consideration, Class Counsel have concluded that it is in Plaintiffs' best interest to compromise and settle the claims in the lawsuits for the money and other benefits included in the Settlement. Class Counsel have also determined that the Settlement Agreement is fair, reasonable, adequate, and in the best interests of the Class Members. Both Plaintiffs and VNA have agreed to settle to avoid the cost and risk of litigation.

3. What does the Settlement provide?

Plaintiffs and VNA have agreed that, in consideration of the Releases and Covenant Not to Sue detailed in the Settlement Agreement, VNA will pay or cause to be paid into the Settlement Fund \$25,000,000 which will go to Class Members.

4. Why did I get this Notice?

The City of Flint's records show that either (1) your address received water from the Flint Water Treatment Plant between February, 2015, and July 31, 2016, and/or (2) you submitted information in the previous settlement.

5. What is a class action and who is involved?

In a class action lawsuit, one or more people called "class representatives" sue on behalf of other people who have similar claims. The people together are a "class" or "class members." The class representatives who sued—and all the class members like them—are called the plaintiffs. The plaintiffs are represented by lawyers who filed the class action suit and then were designated 'Class Counsel' by the court. Class Counsel have the sole right to represent the class's interests in the case and decide whether to appeal any decisions that are made. The companies and people the plaintiffs sued (in this case, VNA) are called the defendants. One proceeding resolves the certified issues for everyone in the class—except for those people who choose to exclude themselves from the class.

6. Why is this lawsuit a class action?

The Court decided that certain issues in this lawsuit can move toward a trial as a class action because they meet the requirements of the relevant Federal Rules of Civil Procedure, which govern class actions in United States courts.

7. How will the Settlement Fund money be divided?

The VNA Settlement will provide an additional \$25 million to the Class. As with the prior settlements, these funds will be allocated among different categories. The allocation was the result of negotiations among the 'subclass' counsel previously appointed by the Court specifically to address allocation of the funds. The charts below show the percentage amounts allocated to the categories. Note that the amount that is available for distribution will be the amount after deducting any amounts that the Court authorizes

for fees and expenses. Eligibility terms of the prior settlements will apply in the evaluation of your claim, except that those claiming adult injury do not need to submit medical records of injury or causation.

CATEGORY	WHO QUALIFIES (subject to Claimants meeting requirements in the Settlement “Compensation Grid”)	PERCENTAGE OF \$25 Million SETTLEMENT FUND
Adults and Property Damage Sub-Qualified Settlement Fund	Adults – Any person (i) 18 years or older during the period from February 10, 2015 to July 31, 2016 or (ii) became an Adult on or before January 31, 2024, and ingested or came into contact with water received from the Flint Water Treatment Plant during the period February 10, 2015 and July 31, 2016 and are claiming or could claim a resulting personal injury. Property Damage – Persons or entities who owned or were the lessee of residential real property that received water from the Flint Water Treatment Plant, or were legally liable for the payment for such water, at any time during the period February 10, 2015 to July 31, 2016. .	98% of \$25 million (after accounting for fees and expenses) will be divided: <ul style="list-style-type: none"> • 48% for Adult Claimants • 50% for Property Damage Claimants
Business Economic Loss Sub-Qualified Settlement Fund	All individuals or entities who owned or operated a business, including income earning real property and any other businesses, that received water from the Flint Water Treatment Plant at any time during the period February 10, 2015 to July 31, 2016, and who are claiming or could claim a resulting business economic loss.	2% of the net funds from the \$25 million allocated to the Class

DETERMINING IF YOU ARE A MEMBER OF THE CLASS

8. I live in the City of Flint and/or I own property or a business in the City of Flint. How do I know if I am a member of the Class?

You are a Class Member if for any period of time between February 10, 2015 to July 31, 2016, you (1) were an Adult or entity who owned or were the lessee of residential real property that received water from the Flint Water Treatment Plant, or were legally liable for the payment of such water; (2) owned or operated a business, including income earning real property and any other businesses, that received water from the Flint Water Treatment Plant and who are claiming or could claim a resulting business economic loss; or (3) (i) were an Adult during the Exposure Period or (ii) became an Adult on or before January 31, 2024, and ingested or came into contact with water received from the Flint Water Treatment Plant during the period February 10, 2015 and July 31, 2016 and are claiming or could claim a resulting personal injury.

9. Are there people or entities that meet the definition above but are excluded from the Class?

Yes. Certain individuals and entities are excluded from the Class. These include:

- Defendants.
- The judicial officers to whom this case is assigned in federal court, Genesee County Circuit Court, and the Michigan Court of Claims, as well as these officers’ staff and immediate family members.

- All persons and entities that have retained a lawyer who is not acting as Class Counsel designated by the Court. If you retained a lawyer and are not certain whether your lawyer is Class Counsel, then you should contact them and ask whether they are Class Counsel designated by the Court. If you have retained your own lawyer and have questions about whether you are included in the VNA Settlement Class, you should contact your lawyer directly. Minors are not part the Class settlement.

10. What if I am excluded from the Class because I am represented by a lawyer that is not acting as Class Counsel but wish to participate in the Settlement?

if you are represented by a lawyer who is not one of the Class Counsel, then you are excluded from the Class but may petition the court to join the Class. If this applies to you, you should contact your individually retained lawyer for more information regarding next steps.

PARTICIPATION IN THE SETTLEMENT

11. Do I have to submit a Claim Form to get money from the Settlement?

Yes, if you have not previously submitted a Claim Form you must file a Claim Form if you want to receive any money from the Settlement. **If you previously submitted a Claim Form pursuant to the previous settlements in this matter, then you need not submit any further forms as you will be automatically registered for this Settlement. If you are a Class Member who would like to be eligible to receive a payment from this Settlement and have not yet filed any Forms,** then you must submit a Claim Form mailed and postmarked by _____, 2024. You can send your Claim Form by mail to Flint Water Settlement, P.O. Box 173120, Milwaukee, WI, 53217. If you received this Notice by mail, a Claim Form was included.

NOTE: If you previously submitted a Registration Form but not a Claim Form, you will still need to file a Claim Form to be eligible to receive a payment from this Settlement.

12. How do I know if I can submit a Claim Form?

Members of the Class may submit a Claim Form if at any time during the period February 10, 2015 to July 31, 2016, **you are claiming or could claim personal injury, property damage, business economic loss, unjust enrichment, breach of contract, or any other type of damage, injury, or relief,** and

- Were an adult during the period from February 10, 2015 to July 31, 2016 or became an Adult on or before January 31, 2024, and ingested or came into contact with water received from the Flint Water Treatment Plant and are claiming or could claim a resulting personal injury(Adult Exposure);
- Owned or were the lessee of residential real property that received water from the Flint Water Treatment Plant, or were legal liable for the payment for such water (Property Damage); or
- Owned or operated a business, including income earning real property and any other businesses, that received water from the Flint Water Treatment Plan (Business Economic Loss).

If you are not sure if you qualify and have not yet registered, you should submit a Claim Form now to make sure you preserve your rights.

13. How do I get a Claim Form?

A Claim Form was included with this Notice.

You can also get this form in multiple ways:

- If you are represented by a lawyer, please contact your lawyer for the Claim Form;
- If you are not represented by a lawyer, you can obtain Claim Form by:

- Downloading a Claim Form at the settlement website www.officialflintwatersettlement.com;
- Requesting that a Claim Form be mailed to you by calling the Claims Administrator's toll- free number at **1-800-493-1754**; or
- Requesting that a Claim Form be mailed to you by writing to the Claims Administrator at the following address: Flint Water Settlement, P.O. Box 173120, Milwaukee, WI, 53217.

You must submit this paper Claim Form by mail by sending it to A.B. Data Ltd., Flint Water Settlement, P.O. Box 173120, Milwaukee, WI, 53217.

Please note, you should act immediately to request or download a Claim Form if you did not receive it by mail, since the deadline to file a Claim Form is _____, **2024**.

14. What is the review process for my Claim Form once it is submitted?

The Claims Administrator will review each Claim Form and decide whether it contains all the required information and whether it was submitted on time.

If you did not submit all the information, the Claims Administrator will send you a notice explaining what is missing or why you may not qualify. If your Claim Form is returned to you as incomplete or defective, you will have an opportunity to correct it. There will be a deadline to submit the corrected form.

The Claims Administrator will notify you whether your corrected form is accepted or not. The settlement website has information about how to submit the Claim Form. There are instructions included with the Claim Form to help you as well.

EXCLUDING YOURSELF FROM THE CLASS

If you do not want to participate in this proposed Settlement and you want to keep the right to sue VNA about the legal issues in this case, then you must take steps to get out of the settlement. This is called "opting out" of the Class.

15. What does it mean to request to be excluded from the Class?

If you do not want to be part of the Class and want to keep your right to sue VNA separately relating to the issues described in this Notice, then you must take steps to remove yourself from the Class. This is called excluding yourself or opting out of the Class. If you exclude yourself, you will not be bound by the terms of the Settlement or any judgment for or against VNA, and you will not receive any money from the VNA Settlement. You will have to bring your own lawsuit within the required timeframe and prove your entire case.

16. How do I exclude myself from the Class?

To exclude yourself from the Class, you must send a letter by mail stating that you wish to be excluded from the Class in *In re Flint Water Cases*, 5:16-cv-10444-JEL-EAS. Be sure to include your name, address, telephone number, and signature. You cannot exclude yourself over the telephone. You must mail your Request for Exclusion, postmarked no later than _____, **2024**, to:

Flint Water Crisis VNA Settlement
Attn: Exclusions c/o A.B. Data, Ltd.
P.O. Box 173001
Milwaukee, WI 53217

You cannot ask to opt out of the settlement by phone, email, or at the website.

17. If I don't exclude myself, can I sue VNA later?

No. You must exclude yourself from the Class to be able to bring your own, separate lawsuit(s) against VNA

with respect to the issues in this case. Remember, the exclusion deadline is _____, 2024.

THE LAWYERS REPRESENTING YOU

18. As a member of the Class, do I have a lawyer representing my interests in this class action?

Yes. The Court has appointed lawyers to represent the members of the Class. The lawyers listed below are the Court-appointed Class Counsel.

CLASS COUNSEL	
<p>Theodore J. Leopold Cohen Milstein Sellers & Toll PLLC 11780 U.S. Highway One, Suite N500 Palm Beach Gardens, FL 33408 (561) 515-1400 tleopold@cohenmilstein.com</p>	<p>Michael L. Pitt Pitt McGehee Palmer Bonanni & Rivers P.C. 117 W. Fourth Street, Suite 200 Royal Oak, MI 48067 (248) 398-9800 mpitt@pittlawpc.com</p>

19. How will the lawyers be compensated?

If the Settlement is approved by the Court, Class Counsel will ask the Court for an award of attorneys' fees in an amount not to exceed 33% of the amount of the Settlement Fund that is allocated for payment of claims of Class Members. Class Counsel may also seek reimbursement of expenses incurred in litigation and negotiating the settlement and may also seek fees for other settlement-related and common benefit activities that are not specific to or solely for the Class. All fees and expenses must be approved by the Court. In addition, certain administrative fees will be paid from the Settlement Fund including fees and expenses of claims administration and expenses and the costs of providing notice to Class Members. Any award of such fees and costs ordered by the Court will be paid from the Settlement Fund according to the terms and limitations of the Settlement Agreement.

The methodology proposed by the Plaintiffs' attorneys for determining attorneys' fees and expenses is covered in the Plaintiffs' attorneys' motion to the Court requesting such fees and expenses, and which will be a public document once filed with the Court. It will be available at www.officialflintwatersettlement.com.

20. Should I get my own lawyer?

You have the right to hire your own lawyer, but you do not need to do so. Class Counsel are working on behalf of the Class. If you decide to hire your own lawyer, they must file a Notice of Appearance. If you hire your own lawyer, you will need to discuss attorney fees and costs with that lawyer.

21. What if I already have my own lawyer?

If you have already hired your own lawyer, you should contact your lawyer directly with any questions as to whether this Notice applies to you and how to proceed.

OBJECTING TO THE SETTLEMENT

22. How do I tell the Court that I don't like the Settlement?

If you are a Class Member (and do not exclude yourself from the Class), you can object to any part of the Settlement. All objections must be in writing and include the following:

- A detailed statement of your objection(s), as well as the specific reasons, if any, for each such objection, including any evidence and legal authority you wish to bring to the Federal Court's attention.
- The written statement must contain your printed name, address, telephone number, and date of birth, written evidence establishing that you are a Class Member.

- The written statement must include any other supporting papers, materials, or briefs you wish the Federal Court to consider when reviewing the objection.
- A written objection may not be signed using any form of electronic signature but must contain your dated signature (not just counsel).

The Federal Court will determine whether any Class Members who do not follow the procedures will have waived any objections they may have. A Class Member may object on his or her own behalf or through an attorney hired at that Class Member's own expense, provided the Class Member also signs the objection and has not submitted a written request to be excluded from the Class. Attorneys asserting objections on behalf of Class Members must:

- File a notice of appearance with the Federal Court by the date set forth in the Preliminary Approval Order, or as the Federal Court otherwise may direct;
- File a sworn declaration attesting to his or her representation of each Class Member on whose behalf the objection is being filed or a copy of the contract (to be filed in camera) between that attorney and each such Class Member; and
- Comply with the procedures described in Article 17-Objections in the Settlement Agreement.

A Class Member (or counsel individually representing him or her, if any) seeking to make an appearance at the hearing must file with the Federal Court, by the date set forth in the Preliminary Approval Order, or as the Federal Court otherwise may direct, a written notice of his or her intention to appear at the hearing, in accordance with the requirements set forth in the Preliminary Approval Order.

Any Class Member who fails to comply with the provisions of these requirements will waive and forfeit any and all rights he or she may have to object to the Settlement Agreement.

Your Objection must be filed with the Clerk of the Court by First-Class United States Mail so the Objection is **received** no later than _____, **2024**. The address of the Court is: Clerk of the Court United States District Court Eastern District of Michigan, 200 E. Liberty Street, Ann Arbor, MI 48104.

If you do not comply with these procedures and the deadline for objections, you will lose any opportunity to have your objection considered at the Fairness Hearing or otherwise to contest the approval of the Settlement or to appeal from any order or judgment entered by the Court in connection with the Settlement.

THE COURT'S FAIRNESS HEARING

23. When and where will the Court decide whether to approve the Settlement?

On _____, 2024, the Court will hold a public hearing in the United States District Court for the Eastern District of Michigan, located at the United States District Court Eastern District of Michigan, 200 E. Liberty Street, Ann Arbor, MI 48104, to determine whether the Settlement is fair, adequate, and reasonable and should be finally approved, with judgment entered accordingly. The Court will also consider the application for an award of attorneys' fees and expense reimbursement. This hearing may be continued or rescheduled by the Court without further notice to the Class so you should check the website for updates. If there are objections, the Court will consider them at that time. After the hearing, the Court will decide whether to approve the Settlement. It is unknown how long these decisions will take.

24. Do I have to come to the hearing?

No, Class Counsel will answer any questions from the Court. However, you are welcome to attend the hearing at your own expense. If you (or your own attorney individually representing you, if any) want to appear at the hearing, you or your attorney must file with the Court, by the date set forth in the Preliminary Approval Order, or as the Court otherwise may direct, a written notice of your intention to appear at the hearing, in accordance with the requirements set forth in the Preliminary Approval Order.

If you send in a written objection, you do not have to come to the Fairness Hearing to talk about it. If you mailed your written objection on time, the Court will consider it. You may also pay your own attorney to attend the Fairness Hearing, but it is not necessary.

IF YOU DO NOTHING

25. What happens if I do nothing at all?

If you are a Class Member and you have NOT already submitted a Claim Package in the prior settlement, you will not get any money from the Settlement. And, unless you opt out of the Settlement, you will be bound by the judgment entered by the Court. This means you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit or proceeding against VNA about the statements and claims at issue in this case. If you submitted a Claim Form with the previous settlement, there is nothing further you need to do in order to have your claim considered for compensation from the VNA Settlement.

GETTING MORE INFORMATION

26. Where do I get more information?

You can view a copy of relevant pleadings and court orders and read a list of Frequently Asked Questions and Answers at www.officialflintwatersettlement.com. You may also write with questions to the A.B. Data Ltd., Flint Water Settlement, P.O. Box 173120, Milwaukee, WI, 5321, send an email to info@flintwaterissueclass.com or call toll-free **1-800-493-1754**. If you wish to communicate with Class Counsel, you may contact them directly (see contact information listed in Question 19). You may also seek advice and guidance from your own private lawyer at your own expense.

PLEASE DO NOT CONTACT THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THIS CASE. DATED: _____, 2024

BY ORDER OF THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN, JUDITH E. LEVY

FLINT WATER SETTLEMENT CLAIM FORM

This explains what you must do to make your claim for a payment from the Flint Water VNA Settlement.

- **You should only submit a Claim Form if you are over 18 years of age and you:**

★Owned or leased a residence served by the Flint Water Treatment Plant (“FWTP”) or were legally liable for the payment of bills for such water, between February 2015 and July 31, 2016.

★Owned or operated a business served by the FWTP or were legally liable for the payment of bills for such water, between February 2015 and July 31, 2016.

★Were exposed to water from the FWTP for at least 21 days during any 30-day period between February 2015 and July 31, 2016.

**PLEASE CAREFULLY READ ALL THE INSTRUCTIONS
BEFORE SUBMITTING YOUR CLAIM**

INSTRUCTIONS AND DOCUMENT REQUIREMENTS

Documents You Must Provide: To be eligible to receive a settlement payment, you must submit the following documents (“Claim Materials”) by **INSERT DATE**:

- This completed and signed Claim Form.
- Records or documentation required for the Settlement Category you have selected in this Claim Form in section 4 below. Please refer to the enclosed Instructions which outline the Required Supporting Documentation and Acceptable Forms of Proof.
- Copy of Claimant’s (or Representative/Guardian’s, if applicable) identification document, such as State-issued ID card, driver’s license, birth certificate, passport, or similar document.
- The completed and signed attached Release form. The form is also available on the website officialflintwatersettlement.com.
- The completed and signed attached Lien Disclosure form. The form is also available on the website officialflintwatersettlement.com.
- If you are representing a deceased person, Court documentation showing that you have been appointed to represent the deceased person’s estate and/or interest. If an estate has not yet been opened, you may submit a copy of the Death Certificate and the Affidavit of Decedent’s Successor. The Affidavit is available on the website: www.officialflintwatersettlement.com.
- If you are representing a legally incapacitated person, Court documentation showing that you have been appointed by the Court to represent that person. See Section 2.

1. Claimant Information				
<p>In this section, fill in the information for the person or business entity who is the Claimant.</p> <p>If you are submitting this form for yourself, then you are the "Claimant." Complete Section 1.</p> <p>If you are submitting this form on behalf of a person who is deceased or legally incapacitated, that person is the "Claimant." Complete Section 1 and Section 2.</p>				
Claimant	Last	First	Middle	
Social Security Number	<div style="border: 1px solid black; display: inline-block; width: 100px; height: 20px; position: relative;"> <div style="position: absolute; left: 0; top: 0; bottom: 0; width: 10%; background-color: black;"></div> <div style="position: absolute; left: 10%; top: 0; bottom: 0; width: 10%; background-color: black;"></div> <div style="position: absolute; left: 20%; top: 0; bottom: 0; width: 10%; background-color: black;"></div> <div style="position: absolute; left: 30%; top: 0; bottom: 0; width: 10%; background-color: black;"></div> <div style="position: absolute; left: 40%; top: 0; bottom: 0; width: 10%; background-color: black;"></div> <div style="position: absolute; left: 50%; top: 0; bottom: 0; width: 10%; background-color: black;"></div> <div style="position: absolute; left: 60%; top: 0; bottom: 0; width: 10%; background-color: black;"></div> <div style="position: absolute; left: 70%; top: 0; bottom: 0; width: 10%; background-color: black;"></div> <div style="position: absolute; left: 80%; top: 0; bottom: 0; width: 10%; background-color: black;"></div> <div style="position: absolute; left: 90%; top: 0; bottom: 0; width: 10%; background-color: black;"></div> </div>	Date of Birth <div style="border-bottom: 1px solid black; display: inline-block; width: 100px; margin-top: 5px;"></div> / <div style="border-bottom: 1px solid black; display: inline-block; width: 30px; margin-top: 5px;"></div> / <div style="border-bottom: 1px solid black; display: inline-block; width: 50px; margin-top: 5px;"></div> (Month/Day/Year)		
Current Address of Claimant	Street/P.O. Box		Apt./Suite	
	City	State	Zip	
	Dates resided at this address:	From	To PRESENT	
Claimant's Contact Information. If Claimant is a deceased or legally incapacitated person, do not fill in this contact information section. Instead, put your contact information in section 2 below.		Phone	<input type="checkbox"/> Work <input type="checkbox"/> Mobile <input type="checkbox"/> Home	
		Alt. Phone	<input type="checkbox"/> Work <input type="checkbox"/> Mobile <input type="checkbox"/> Home	
		Email		
2. REPRESENTATIVE OR GUARDIAN INFORMATION (Fill out this section only if you are submitting this form on behalf of a legally incapacitated or deceased person)				
<p>Is the Claim being brought by a Representative or Guardian on behalf of a legally incapacitated or deceased person? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If Yes, complete Section 2.</p>				
Relationship to Claimant Attach documents proving that you are the Representative or Guardian. The chart included with the instructions identifies the documents you need to provide.			<u>Check all that apply:</u> <input type="checkbox"/> Legal Guardian or other court-appointed representative <input type="checkbox"/> Estate Administrator or Personal Representative of the Estate <input type="checkbox"/> Successor per Affidavit of Decedent's Successor <input type="checkbox"/> Other (specify):	

Representative/Guardian's Name	Last	First	Middle	
Representative/Guardian's Address	Street/P.O. Box		Apt./Suite	
	City	State	Zip	
Representative/Guardian's Social Security Number	<div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div>		Date of Birth ____/____/____ (Month/Day/Year)	
Date of Death of Claimant (if applicable) ____/____/____ (Month/Day/Year)				
Representative/Guardian's Contact Information	Phone		<input type="checkbox"/> Work <input type="checkbox"/> Mobile <input type="checkbox"/> Home	
	Alt. Phone		<input type="checkbox"/> Work <input type="checkbox"/> Mobile <input type="checkbox"/> Home	
	Email			
3. ATTORNEY INFORMATION				
If you are an attorney representing or assisting this Claimant, please complete Section 3.				
Attorney's Name	Last	First		
Law Firm Name:				
Address	Street			
	City	State	Zip	
Phone and Email	Phone		Email	

4. SETTLEMENT CATEGORIES**Check all that Apply**

<input type="checkbox"/>	Adult Exposure	<input type="checkbox"/>	Residential Property Claims (Owners/Renters) (Includes those who paid or were legally liable for water bills)	<input type="checkbox"/>	Business Property and Economic Loss Claims
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Adult Exposure Claim:

If you are over 18 and you were exposed to Flint Water for 21 out of 30 days between February 2015 and July 31, 2016, please provide information regarding where you were exposed:

If you were exposed where you lived, provide the address of each location between February 2015 and July 31, 2016:

Address #1:	Complete Street Address		Apt./Suite
	City of FLINT	MICHIGAN	Zip
	Dates resided at this address:	From	To
Address #2:	Complete Street Address		Apt./Suite
	City of FLINT	MICHIGAN	Zip
	Dates resided at this address:	From	To
Address #3:	Complete Street Address		Apt./Suite
	City of FLINT	MICHIGAN	Zip
	Dates resided at this address:	From	To
Address #4:	Complete Street Address		Apt./Suite
	City of FLINT	MICHIGAN	Zip
	Dates resided at this address:	From	To

If you were exposed where you worked or attended school, provide the address of each location between February 2015 and July 31, 2016:

Address of water exposure #1	Complete Street Address		Office #/Suite #
	City of FLINT	MICHIGAN	Zip
	Dates exposed to water at this address. Include month and year:	From	To
Name of business or school:			<input type="checkbox"/> Business/Work <input type="checkbox"/> School
Describe why Claimant was at this location or how Claimant was exposed to the Flint water:			
<hr/> <hr/> <hr/>			
Address of water exposure #2	Complete Street Address		Office #/Suite #
	City of FLINT	MICHIGAN	Zip
	Dates exposed to water at this address. Include month and year:	From	To
Name of business or school:			<input type="checkbox"/> Business <input type="checkbox"/> School
Describe why Claimant was at this location or how Claimant was exposed to the Flint water:			
<hr/> <hr/> <hr/>			
Address of water exposure #3	Complete Street Address		Office #/Suite #
	City of FLINT	MICHIGAN	Zip
	Dates exposed to water at this address. Include month and year:	From	To
Name of business or school:			<input type="checkbox"/> Business <input type="checkbox"/> School
Describe why Claimant was at this location or how Claimant was exposed to the Flint water:			
<hr/> <hr/> <hr/>			
	Complete Street Address		Office #/Suite #

Address of water exposure #4	City of FLINT	MICHIGAN	Zip
	Dates exposed to water at this address. Include month and year:	From	To
Name of business or school:			<input type="checkbox"/> Business <input type="checkbox"/> School
Describe why Claimant was at this location or how Claimant was exposed to the Flint water: <hr/> <hr/> <hr/>			

Residential Property Claim:

If you owned or leased a residential property serviced by the Flint Water Treatment Plant (“FWTP”) or were legally liable for the payment of bills for such water, between February 2015 and July 31, 2016, please provide the following information:

Property #1: The relevant real property address which is the subject of this claim is:

Complete Street Address	Apt./Suite	
City of FLINT	MICHIGAN	Zip
Did you Own or Lease the Property?	<input type="checkbox"/> Owned	<input type="checkbox"/> Leased
Was the Water Bill in your name? <input type="checkbox"/> Yes <input type="checkbox"/> No		

If you Leased the property, provide the name and contact information of the Owner, Rental Agency, or Landlord:

Property #2: The relevant real property address which is the subject of this claim is:

Complete Street Address	Apt./Suite	
City of FLINT	MICHIGAN	Zip
Did you Own or Lease the Property?	<input type="checkbox"/> Owned	<input type="checkbox"/> Leased
Was the Water Bill in your name? <input type="checkbox"/> Yes <input type="checkbox"/> No		

If you Leased the property, provide the name and contact information of the Owner, Rental Agency, or Landlord:

Property #3: The relevant real property address which is the subject of this claim is:

Complete Street Address	Apt./Suite		
City of FLINT	MICHIGAN	Zip	
Did you Own or Lease the Property?	<input type="checkbox"/> Owned	<input type="checkbox"/> Leased	
Was the Water Bill in your name? <input type="checkbox"/> Yes <input type="checkbox"/> No			

If you Leased the property, provide the name and contact information of the Owner, Rental Agency, or Landlord:

Business Claim:

If you owned or operated a business serviced by the FWTP or were legally liable for the payment of bills for such water, between February 2015 and July 31, 2016, please provide the following information. A business under this section may also include the ownership of residential rental properties.

Business #1: The relevant business which is the subject of this claim is:

Name of the Business:		
Type of Business:		
Street		
City	State	Zip
EIN#:		

Business #2: The relevant business which is the subject of this claim is:

Name of the Business:		
Type of Business:		
Street		

City	State	Zip
EIN#:		

Business #3: The relevant business which is the subject of this claim is:

Name of the Business:		
Type of Business:		
Street		
City	State	Zip
EIN#:		

5. VERIFICATION

I certify and attest under penalty of perjury, pursuant to 28 U.S.C. Section 1746, that: I am 18 years of age or older; all information submitted in support of this Claim, including the information contained within and submitted with this Claim Form, is true, correct, accurate, and complete to the best of my knowledge; and, if I completed section 2 above, I am submitting this Claim Form on behalf of the Claimant. I understand that false statements or claims made in connection with this Claim Form may result in fines, imprisonment, and/or any other remedy available by law.

Claimant or Representative or Guardian's Signature				DATE	____/____/____ (month) (day) (year)
	First	MI	Last		
Printed Name					

Attached are instructions to complete this form as well as any additional related forms that you may need to complete your Claim.

Instructions for Completing Flint Water Settlement Claim Form

These instructions explain how to complete your Claim Form and follow the sections of the Claim Form as they appear. Please make sure your writing is clear and readable so that your forms can be correctly processed.

The Claims Administrator has the obligation to verify all documentation submitted and may reject documentation that does not appear to be valid or does not support the claim.

1. **Claimant Information** – Section 1 requests information on the person or business asserting a claim.
2. **Legally Appointed Personal Representative, or Guardian Information** - Section 2 requests information on the person acting as the Claimant's representative. Please refer to the Table at the end of this document or to the FAQ's on the website officialflintwatersettlement.com for a definition of these terms and proof of relationship.
3. **Attorney Information** – Section 3 requests the identity of any attorney filing out the Claim Form on behalf of a Claimant.
4. **Settlement Categories** – Section 4 identifies the three (3) Settlement Categories each Claimant may be eligible for in this settlement.
5. **Verification** – Section 5 indicates that you will need to sign the Claim Form and that you are signing the Claim Form under penalty of perjury. It is important to verify that all information you are providing on the form is true, correct, accurate, and complete to the best of your knowledge. You will also be required to sign the Release.

Instructions for Settlement Categories

Settlement Category for Adult Exposure:

Description of Eligibility Requirements:

1. Are you 18 or older? **AND**
 2. Did you live, attend school, or work in Flint, or were you otherwise exposed to Flint water, for at least 21 days during any 30-day period between February 2015 and July 31, 2016?
- **If you can answer yes to BOTH questions above, choose Adult Exposure Category.**

Required Supporting Documentation:

1. All Claimants must submit a Valid Form of ID.
2. All Claimants must submit Proof of Exposure between February 2015 and July 31, 2016.

- **Acceptable forms of Proof showing Exposure between February 2015 and July 31, 2016 (only one document needs to be submitted):**
 - Water bill, Utility bill, bank statement, credit card bill in the Claimant's name for property where Claimant was exposed to Flint water;
 - School Record with Claimant's name and address (showing Flint address of school and/or Claimant);
 - Letter from employer verifying employment at business in Flint with address (showing Flint address of place of employment and/or employee);
 - Check, Pay Stub, or W-2 with the Claimant's name showing Flint address of place of employment and/or employee;
 - Tax return showing address in Flint and name of Claimant on return;
 - Deed to property located in Flint showing name of Claimant on deed;
 - Lease for residential property in Flint listing Claimant in the lease;
 - Mortgage Statement for residential property in Flint showing name of Claimant on statement;
 - Blood Lead Test result listing the Claimant's name and Flint address;
 - Medical Record listing the Claimant's name and Flint address;
 - Michigan Issued and/or Active Drivers License during the Exposure Period (showing Flint address)
 - Court Records listing name and address of Claimant
 - Guardianship Papers listing name and address of Claimant
 - Benefit letters from Federal or State Government Agency listing name and address of Claimant
 - Landlord letters and/or Receipts showing proof of Rental payment identifying the name and address of Claimant
 - Property Tax Statement
 - Other document sufficient to reliably show address of Claimant's exposure to Flint water during the relevant category Exposure Period. The Claims Administrator will follow up with you if necessary after their review of the documentation;

Settlement Category for Residential Property:

Description of Eligibility Requirements:

- Did you own or lease residential real property that received water from the Flint Water Treatment Plant between February 2015 and July 31, 2016? OR
- Was your name listed on a water bill for a residential property in the City of Flint that received water from the Flint Water Treatment Plant between February 2015 and July 31, 2016?

Required Supporting Documentation:

1. All Claimants must submit a Valid Form of ID.
 2. All Claimants must submit Proof of Ownership/Lease/Legal Responsibility for Water Bill between February 2015 and July 31, 2016.
- **Acceptable Forms of Proof between February 2015 and July 31, 2016 (Only one document needs to submitted):**
 - Water bill for property – in name of Claimant;
 - Claimant's Individual Tax return – needs to show the property address in Flint and a deduction for property taxes paid;
 - Registered Deed to property – in name of Claimant;
 - Property Tax Statement – in name of Claimant;
 - Lease – in name of Claimant;
 - Mortgage Statement – in name of Claimant;
 - Utility bill - in name of Claimant
 - Landlord letters and/or Receipts showing proof of Rental payment identifying the name and address of Claimant
 - Recorded Property Transfer Affidavit – showing name and address of Claimant
 - Land Contract or Rent to Own Agreement showing name and address of Claimant

Settlement Category for Business Property/Economic Loss:

Description of Eligibility Requirements:

- Did you own a business that operated in the City of Flint (which includes those who paid for water bills), that received water from the Flint Water Treatment Plant between February 2015 and July 31, 2016?

Required Supporting Documentation:

1. All Claimants must submit a Valid Form of ID.
2. All Claimants must submit Proof of Business Incorporation or Organization, and Business Ownership operating in the City of Flint, and receiving Flint water, during the period of February 2015 to July 31, 2016.
3. All Claimants must submit proof of Business EIN.

Acceptable Forms of Proof between February 2015 and July 31, 2016 (Only one document needs to submitted):

- Water Bill in name of Business
- Utility Bill in name of Business
- Registered Deed in name of Business
- Mortgage Statement in name of Business
- Property or Income Tax Statement of Business
- Lease in name of Business
- Tax Registration for Business
- State Filing for Business
- Certificate of Incorporation for Business

**Supporting Documentation for Authority to Represent Claimant as Court Appointed
Personal Representative or Guardian**

Acceptable forms of documentation for Section 2 – “Relationship to Claimant”:

Relationship to Claimant	Reason for Representation	Required Documentation
Legal Guardian or other court-appointed representative	Incapacity or death of Adult Claimant	Court documentation showing your appointment as guardian or representative for Claimant.
Estate Administrator or Personal Representative of the Estate	Death of Adult Claimant	Court documentation showing your appointment as Representative or Administrator for the Estate of Claimant. Or Affidavit of Decedent’s Successor.
Other	Please describe:	Any documentation to support your relationship to Claimant. If none of the above descriptions or documents apply, please describe the basis for your relationship to the Claimant and provide the best documentation you have available to support that relationship. The Claims Administrator will follow up with you if necessary after their review of the documentation provided.

ATTACHMENT 2

Legal Notice

Did You Reside in Flint, Come Into Contact With, or Pay for Water in Flint, or Own, Operate, or Lease Property or A Business That Received Water from the Flint Water Treatment Plant Between February 10, 2015, and July 31, 2016?

You Could Get Money From a Settlement.

There is a new proposed \$25 million class action Settlement in the Flint Water Cases. This Settlement relates to the part of the class action lawsuit that claims that Veolia North America, LLC, Veolia North America, Inc., and Veolia Water North America Operating Services, LLC (“VNA”) did not follow accepted engineering practices and failed to fulfill its professional duties. The lawsuit says VNA did not properly advise the City of Flint about water treatment using the Flint River as a drinking water source. As a result, people and property were harmed. VNA denies it did anything wrong.

Who is included in the Settlement?

The Settlement includes persons (and entities) who, between February 10, 2015, and July 31, 2016: (1) owned or leased residential property that received water from the Flint Water Treatment Plant, or were legally liable to the pay for such water (had property damage); (2) owned or operated a business, including income operating property or other businesses, that received water from the Flint Water Treatment Plant (had business economic loss); or (3) ingested or came into contact with water received from the Flint Water Treatment Plant (had exposure) and were an adult on or before January 31, 2024.

What does the Settlement provide?

VNA will pay \$25 million into the Flint Water Crisis Qualified Settlement Fund (“Settlement Fund”), to resolve the pending class action against VNA.

How can I get a payment?

If you already submitted a claim in one of the prior settlements, you do not need to do anything to receive a payment for this settlement. If you believe you have not submitted a claim or are unsure if you have submitted a claim, you may inquire further at either the toll-free number or website below. The website also has a claim form that you may download and submit. If you have not previously submitted a claim, you need to submit a Claim Form by mail postmarked by _____, 2024 to get any money from the Settlement Fund.

At this time, it is unknown how much each individual (or entity) who submits a valid claim will receive. Payments will be based on the number of claims filed and the type of claim you file.

What are my rights?

Even if you do nothing, you will be bound by the Court’s decisions. If you want to keep your right to sue VNA, you must exclude yourself by _____, 2024. If you do not exclude yourself, you may object the Settlement by _____, 2024.

The Court will hold a hearing on _____, 2024, to consider whether to approve (1) the Settlement and (2) a request for attorneys’ fees and expenses up to 33% of the class action portion of the Settlement Fund. You or your own lawyer may appear and speak at the hearing at your own expense.